

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT CINCINNATI**

JAMES L. BROWN, :  
Petitioner, : Case No. 1:12-cv-644  
- vs - : Chief Judge Susan J. Dlott  
WARDEN WARREN CORRECTIONAL : Magistrate Judge Michael R. Merz  
INSTITUTION, :  
Respondent.

---

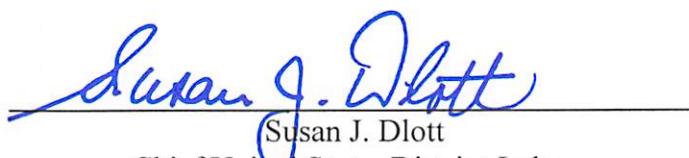
**ORDER ADOPTING SUPPLEMENTAL REPORT AND RECOMMENDATIONS**

---

The Court has reviewed the Supplemental Report and Recommendation of United States Magistrate Judge Michael R. Merz (Doc. #35), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Supplemental Report and Recommendation.

It is hereby ORDERED that the Petition is DISMISSED as moot. Petitioner is also DENIED any requested certificate of appealability and the Court hereby certifies to the United States Court of Appeals that an appeal would be objectively frivolous.

April 17, 2014.

  
\_\_\_\_\_  
Susan J. Dlott  
Chief United States District Judge